

PTO/SB/26 (08-03)

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REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

H053912.0132US0

In re Application of: Attilio Tomasi, et al.

Application No.: 10/698,684

Filed: 10/31/2003

For: CRYSTALLINE FORM II OF CABERGOLINE

The owner*, Pharmacia Italia, S.p.A., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,673,806. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

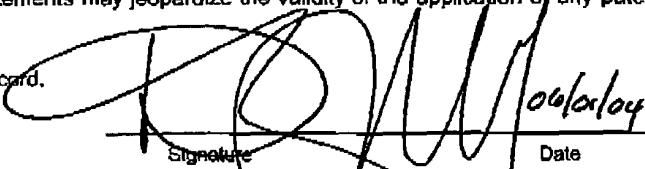
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.


SignatureDate
06/01/04

Dwayne L. Mason, Reg. No. 38,959

Typed or printed name

713-220-5800

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-03)

FEE TRANSMITTAL for FY 2004 <i>Patent fees are subject to annual revision.</i>		Complete if Known				
		<i>Application Number</i>	10/698,664			
		<i>Filing Date</i>	10/31/2003			
		<i>First Named Inventor</i>	Attilio Tomasi			
		<i>Examiner Name</i>	Aulakh, Charanjit			
<i>Group / Art Unit</i>	1625					
Total Amount of Payment	\$ 110.00	Attorney Docket No.	H053912.0132US0			

METHOD OF PAYMENT (check one)						FEES CALCULATION (continued)																																																																																																																																																																																							
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account No.: <u>16-2435</u> Deposit Account Name: <u>Akin Gump Strauss Hauer & Feld, LLP</u></p> <p>X Charge any additional Fee Required Under 37 CFR §§ 1.16 & 1.17 — Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. — Payment Enclosed: — Check — Money Order — Credit Card — Other</p>						<p>3. Additional Fees</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Large Entity Pct (\$)</th> <th>Small Fee Code</th> <th>Small Entity Pct (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>\$ 130</td><td>2051</td><td>\$ 65</td><td>Surcharge - late fee or oath</td><td>\$</td></tr> <tr><td>1052</td><td>\$ 50</td><td>2052</td><td>\$ 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>1812</td><td>\$ 2,520</td><td>1812</td><td>\$ 2,520</td><td>Request for Reexamination</td><td>\$</td></tr> <tr><td>1804</td><td>\$920*</td><td>1804</td><td>\$920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>1805</td><td>\$1840*</td><td>1805</td><td>\$1840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>1251</td><td>\$ 110</td><td>2251</td><td>\$ 55</td><td>Extension for reply within first month</td><td>\$</td></tr> <tr><td>1252</td><td>\$ 420</td><td>2252</td><td>\$ 210</td><td>Extension for reply within second month</td><td>\$</td></tr> <tr><td>1253</td><td>\$ 950</td><td>2253</td><td>\$ 475</td><td>Extension for reply within third month</td><td>\$</td></tr> <tr><td>1254</td><td>\$1,480</td><td>2254</td><td>\$ 740</td><td>Extension for reply within fourth month</td><td>\$</td></tr> <tr><td>1255</td><td>\$2,010</td><td>2255</td><td>\$1,050</td><td>Extension for reply within fifth month</td><td>\$</td></tr> <tr><td>1401</td><td>\$ 330</td><td>2401</td><td>\$ 165</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>1402</td><td>\$ 330</td><td>2402</td><td>\$ 165</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>1403</td><td>\$ 290</td><td>2403</td><td>\$ 145</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>1452</td><td>\$ 110</td><td>2452</td><td>\$ 55</td><td>Petition to revive - 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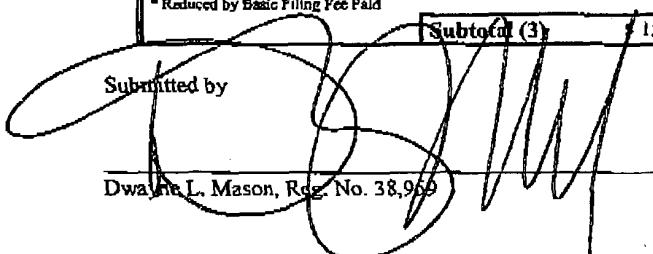
Submitted by

Dwayne L. Mason, Reg. No. 38,960

PTO/SB/17 (01-03)

FEE TRANSMITTAL for FY 2004		Complete if Known				
		<i>Patent fees are subject to annual revision</i>	<i>Application Number</i>	10/698,664		
		<i>Filing Date</i>	10/31/2003			
		<i>First Named Inventor</i>	Attilio Tomasi			
		<i>Examiner Name</i>	Aulakh, Charanjit			
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METHOD OF PAYMENT (check one)																																								
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Date: 06/01/04Submitted by 

Dwayne L. Mason, Reg. No. 38,960

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